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SUBJECT: GOVERNMENT ASSURANCES ON BWINDI DEFENDANTS

REF: A. DHS A/S JULIE MYERS SEPTEMBER 17 LETTER TO A/S  
FRAZER  
[1](#)B. KIGALI 0634

[1](#)1. (SBU) Embassy has reviewed the September 17 letter from Department of Homeland Security ICE A/S Julie Myers to A/S Frazer, detailing the immigration judge's decision in regard to one of the three Bwindi defendants. In her letter, A/S Myers requested the Department of State to offer a "preferred approach on effectuating removal" from the United States. Reftel explored at length the low risk of Government of Rwanda mistreatment of the Bwindi defendants, including the Minister of Justice, Tharcisse Karugarama's statement to the Ambassador that "the GOR would be willing to give appropriate written assurances to the USG concerning treatment of the defendants."

[1](#)2. (SBU) Minister Karugarama recently renewed this offer of assurances. The minister stated categorically that Rwanda would be willing to give written assurance, in whatever form required by the United States government, on proper treatment of the Bwindi defendants. As we have previously stated, the GOR prosecution of the Bwindi defendants would not take place in a legal or political vacuum, but rather would occur against the backdrop of the GOR's ongoing campaign to secure the return of genocide suspects from nations around the world and from the ICTR.

[1](#)3. (SBU) Acutely aware of the necessity to demonstrate to the international community its adherence to due process standards, the GOR is presently engaged with Finnish and British authorities on extradition requests for suspected genocidaires found in their respective countries. It is also seeking the transfer of defendants from ICTR in Arusha to Rwanda. As a matter of high statepolicy, the GOR is committed to an integrated regime of acceptable detention facilities, proper due process protections, and appropriate international observation. Rwanda stands ready to offer this same comprehensive system of protections to the Bwindi defendants.

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